

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Scott Schewe and Victor Schoenle and Jan Weber
Application No.:	10/617428
Filed:	July 10, 2003
For:	MEDICAL DEVICE TUBING WITH DISCRETE ORIENTATION REGIONS
Examiner:	Not Assigned
Group Art Unit:	Not Assigned

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2B-10941-US01

INFORMATION DISCLOSURE STATEMENT

Listed below or on an attached form listing the cited references and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed publication, U.S. patent, foreign patent and U.S. patent application is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, *except that* U.S. applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such priority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, **Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.**

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If the form listing the cited references or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

Applications that are listed on the accompanying form listing the cited references as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no copies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the form listing the cited references and/or 892 forms from these cases.

_____ **I.** This statement qualifies as a no-fee Information Disclosure Statement under 37 C.F.R. §1.97(b) or otherwise because to the knowledge of the undersigned attorney it is being filed (check all that apply):

- _____ (1) within 3 months of the filing date of the application (other than a CPA); or
- _____ (2) within 3 months of entry of the national stage; or
- _____ (3) before the mailing of a first Office Action on the merits;
- _____ (4) before the mailing of a first Office Action after the filing of a request for continued examination (RCE) under §1.114;
- _____ (5) as part of a continued prosecution application (CPA); or
- _____ (6) during the period of a suspension of action for a CPA under 37 C.F.R. §1.103(b).

_____ **II.** This statement is believed to require a fee or the submission of a certification under 37 C.F.R. §1.97 (c) or otherwise. If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application (other than CPA); (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; (3) the mailing of a first Office Action on the merits; (4) the mailing of a first Office Action after the filing of a request for continued examination under §1.114; or (5) after the filing of a request for a continued prosecution application, but before the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311 or an action that otherwise closes prosecution in the application, then:

- _____ (1) a certification as specified in §1.97(e) is provided below; or
- _____ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

_____ **III. 37 C.F.R. §1.97(d).** If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:

- _____ (1) a certification as specified in §1.97(e) is completed below; and
_____ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with payment of other papers filed together with this statement.

X **IV. Fee Authorization.** If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350.

If paragraph II.1 or III is checked, also check one of the paragraphs below

_____ I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of the filing of this information disclosure statement.

_____ This communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

_____ I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

For the purpose of this certification, Applicant considers the PCT International Search Authority to constitute a foreign patent office.

If this Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Information Disclosure Statement, Applicant requests that this be treated as such a petition.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: September 24, 2003

By: 

Walter J. Steinkraus
Registration No.: 29592

6109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001

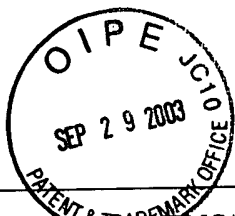


LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)			ATTY DOCKET NO.: S63.2B-10941-US01		APPLICATION NO.: 10/617428	
			APPLICANT: Scott Schewe and Victor Schoenle and Jan Weber			
			FILING DATE: July 10, 2003		GROUP: Not Assigned	
REFERENCE DESIGNATION			U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS			
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4490421	12/25/84	Levy	428/35	
	AB	4906244	3/6/90	Pinchuk et al	606/194	
	AC	4935190	6/19/90	Tennerstedt	264/529	
	AD	4950239	8/21/90	Gahara	604/96	
	AE	4963313	10/16/90	Noddin et al	264/573	
	AF	5250069	10/5/93	Nobuyoshi et al	606/192	
	AG	5264260	11/23/93	Saab	428/35.5	
	AH	5270086	12/14/93	Hamlin	428/35.2	
	AI	5304340	4/19/94	Downey	264/521	
	AJ	5306246	4/26/94	Sahatjian	604/96	
	AK	5328468	7/12/94	Kaneko	604/96	
	AL	5344400	9/6/94	Kaneko	604/96	
FOREIGN PATENT DOCUMENTS						
		DOCUMENT NUMBER	DATE	COUNTRY		
	BA	2002-331034	11/19/02	JP		
	BB	98/03218	1/29/98	WO		
	BC	540858	9/11/02	EP		
	BD					
	BE					
OTHER ART (Including Author, Title, Date, Pertinent Pages, Ect.)						
	CA	S. Levy "Improved Dilatation Catheter Balloons," J. Clinical Engineering, Vol. 11, No. 4, July-August 1986, 291-295, at p. 293.				
	CB					
	CC					
EXAMINER			DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						



UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY (COPIES ENCLOSED)		ATTY DOCKET NO.: S63.2B-10941-US01		APPLICATION NO. 10/617428	
		APPLICANT: Scott Schewe and Victor Schoenle and Jan Weber			
		FILING DATE: July 10, 2003		GROUP: Not Assigned	
UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY					
EXAM'S INIT.		APPLICATION NO.	FILING DATE	INVENTOR(S)	
	DA	10/087653	2/28/02		
	DB				
	DC				
	DD				
	DE				
EXAMINER				DATE CONSIDERED	
EXAMINER: Initial if application considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					

US APPLICATIONS RELATED BY PRIORITY (COPIES NOT ENCLOSED)		ATTY DOCKET NO.: S63.2B-10941-US01		APPLICATION NO. 10/617428		
		APPLICANT: Scott Schewe and Victor Schoenle and Jan Weber				
		FILING DATE: July 10, 2003		GROUP: Not Assigned		
US APPLICATIONS REALTED BY PRIORITY						
EXAM'S INIT		APPLICATION NO.	FILING DATE	PATENT NO.	INVENTOR(S)	FORM 1449/892 ENC
	EA					
	EB					
	EC					
	ED					
	EE					
	EF					
EXAMINER				DATE CONSIDERED		
EXAMINER: Initial if application considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.						



LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				ATTY DOCKET NO.: S63.2B-10941-US01		APPLICATION NO.: 10/617428	
				APPLICANT: Scott Schewe and Victor Schoenle and Jan Weber			
				FILING DATE: July 10, 2003		GROUP: Not Assigned	

REFERENCE DESIGNATION			U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS			
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5356591	10/18/94	Pinchuk et al	264/573	
	AB	5403340	4/4/95	Wang et al	606/194	
	AC	5500180	3/19/96	Anderson et al	264/532	
	AD	5556383	9/17/96	Wang et al	604/96	
	AE	5587125	12/24/96	Roychowdhury	264/515	
	AF	5714110	2/3/98	Wang et al	264/529	
	AG	5738653	4/14/98	Pinchuk et al	604/96	
	AH	5797877	8/25/98	Hamilton et al	604/96	
	AI	5948345	9/7/99	Patel et al	264/529	
	AJ	6110142	8/29/00	Pinchuk et al	604/96	
	AK	6146356	11/14/00	Wang et al	604/96	
	AL	6156254	12/5/00	Andrews et al	264/231	

FOREIGN PATENT DOCUMENTS				
		DOCUMENT NUMBER	DATE	COUNTRY
	BA			
	BB			
	BC			
	BD			
	BE			

OTHER ART (Including Author, Title, Date, Pertinent Pages, Ect.)		
	CA	
	CB	
	CC	

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				ATTY DOCKET NO.: S63.2B-10941-US01		APPLICATION NO.: 10/617428	
				APPLICANT: Scott Schewe and Victor Schoenle and Jan Weber			
				FILING DATE: July 10, 2003		GROUP: Not Assigned	
REFERENCE DESIGNATION				U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS			
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE	
	AA	6168748	1/2/01	Wang et al	264/520		
	AB	6176698	1/23/01	Grantz et al	425/470		
	AC	6270522	8/7/01	Simhambhatla et al	623/1.11		
	AD	6328710	12/11/01	Wang et al	604/96.01		
	AE	6458313	10/1/02	Hudgins et al	264/515		
	AF	6465067	10/15/02	Wang et al	428/35.7		
	AG	6500146	12/31/02	Pinchuk et al	604/96.01		
	AH	6500148	13/31/02	Pinchuk et al	604/103.11		
	AI	6572813	6/3/03	Zhang et al	264/519		
	AJ						
	AK						
	AL						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY			
	BA						
	BB						
	BC						
	BD						
	BE						
OTHER ART (Including Author, Title, Date, Pertinent Pages, Ect.)							
	CA						
	CB						
	CC						
EXAMINER			DATE CONSIDERED				
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							